

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: CARDTRONICS ATM FEE NOTICE
LITIGATION

Member case: 12cv2699-BEN (BLM)

Case No. 11md2245-BEN (BLM)

**ORDER DIRECTING RULE 26
COMPLIANCE AND SETTING CASE
MANAGEMENT CONFERENCE**

On November 5, 2012, DeLiberty v. Cardtronics, Inc., case no. 12cv2699-BEN (BLM), was transferred to this Court from the Western District of New York. ECF Nos. 11-14. On October 24, 2012, this Court issued a scheduling order in related cases Katz v. Cardtronics, Inc. et al., case no. 12cv2083-BEN (BLM), and Fried v. Cardtronics, Inc., case no. 12cv2119-BEN (BLM). ECF No. 95. Given the current status of this case, and in an effort to expedite the discovery process in all of the related cases, the Court finds it inappropriate to convene an Early Neutral Evaluation Conference at this time. See CivLR 16.1(c)(1) (explaining that "[t]he judicial officer will hold such conferences as he or she deems appropriate"). The Court therefore issues the following orders:

1. Any objections made to initial disclosure pursuant to Rule 26(a)(1)(A-E) are overruled, and the parties are ordered to proceed with the initial disclosure process. Any further objections to initial disclosure will be resolved as required by Rule 26;

2. The Rule 26(f) conference shall be completed on or before
November 16, 2012;

3. A joint discovery plan shall be lodged with Magistrate Judge Barbara L. Major
(via email address efile_major@casd.uscourts.gov) on or before **November 26, 2012;**

4. Initial disclosures pursuant to Rule 26(a)(1)(A-E) shall occur on or before
November 26, 2012; and,

5. A Case Management Conference pursuant to Rule 16(b) shall be held on
November 30, 2012 at **9:00 a.m.**, or as soon thereafter as the Court's calendar will allow,
with the chambers of Magistrate Judge Major. **Counsel shall appear telephonically.**
The Court will initiate the conference call.

Parties are hereby warned that failure to comply with this Order may result in the
imposition of sanctions. Additionally, failure to respond to discovery requests or to comply
with the Federal Rules of Civil Procedure regarding discovery may result in the imposition
of sanctions including monetary sanctions, evidentiary sanctions and the dismissal or default
of your case.

IT IS SO ORDERED.

DATED: November 8, 2012



BARBARA L. MAJOR
United States Magistrate Judge